

REMARKS

Applicant thanks the Examiner for the careful review of this application. Applicant has amended claims 10-16 and 19-21 and added new claim 22. Applicant has provided amendments to fix technical errors in the claims and to remove the objection to claims 11 and 18 for double patenting. No new matter has been added.

In light of the amendments, Applicant submits that the objections are rendered moot, and Applicant thus requests withdrawal of such rejections. Applicant further submits that the claims as amended have not been shown by Crewe, Nickels, or the combination thereof, either in terms of anticipation or obviousness. Applicant does not concede the propriety of the previous rejections. Rather, Applicant has clarified the claims in an attempt to advance prosecution of the application.

Regarding the requirement for information under 37 C.F.R. § 1.105, Applicant provides the attached reference in the page following this paper, entitled “Carbon nanotubes beam electrons” (the Science News article) and having a publication date shown as January 4, 2003 (the article is referenced by outlining and an arrow on the page in question). Applicant requests that the Science News article be considered in this application.

Applicant further states through its representative that it has considered the four categories of information requested under section 105 and determined that the Science News article is the only thing Applicant is aware of which meets these categories. Additionally, Applicant notes that the term “typical CNT head” was used by the Applicant to refer to the possibility that other, unknown, variations of the CNT head disclosed in the present application would potentially be suitable for use in the claimed invention. Applicant did not suggest or state that other CNT heads were known to Applicant to be suitable for use in the claimed invention or that Applicant was aware of the specific design of other CNT heads at the time of invention through the time of preparation and original filing of the present application.

CONCLUSION

Applicant submits that all pending claims are patentable, and respectfully requests an early Notice of Allowance. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,

Date: December 18, 2009

/Glenn E. Von Tersch/
Glenn E. Von Tersch
Registration No. 41,364

Correspondence Address:

Customer No. 45965
Technical & Intellectual Property Strategy Group
Telephone: 650-293-3352